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REGULATORY AUTH.

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OFFICE OF THE
February 10, 1999
EXECUTIVE SECRETARY

VIA HAND DELIVERY

Mr. David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

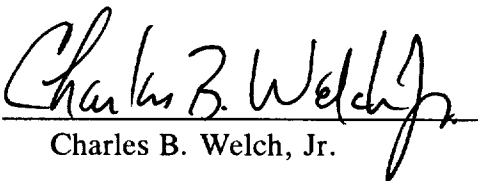
RE: Application of Tengasco Pipeline Corporation
for a Certificate of Public Convenience and
Necessity to Provide Intrastate Natural Gas Services
TRA Docket No. 98-00156

Dear Mr. Waddell:

Enclosed for filing, please find the original plus thirteen (13) copies of the Informal Coalition of Utility Districts' Response to the Petition to Intervene on Behalf of the Tennessee Oil and Gas Association. Copies are being served on parties of record.

If you have any questions or concerns with regard to this filing, please do not hesitate to contact me.

Very truly yours,

By: 
Charles B. Welch, Jr.

CBWjr:cg

encs:

cc: Leslie B. Enoch, II
Parties of record

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**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:

**APPLICATION OF TENGASCO PIPELINE CORPORATION
FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY TO PROVIDE INTRASTATE NATURAL
GAS SERVICES**

**DOCKET NO.
98-00156**

***RESPONSE OF THE INFORMAL COALITION OF
UTILITY DISTRICTS TO THE PETITION OF
TENNESSEE OIL AND GAS ASSOCIATION TO INTERVENE***

The Informal Coalition of Utility Districts (hereinafter collectively referred to as the "Districts") responds to the Petition to Intervene filed on behalf of the Tennessee Oil and Gas Association ("TOGA") as follows:

1. Tengasco Pipeline Corporation's application for a certificate of public convenience and necessity to provide intrastate natural gas services was filed in March, 1998. The initial hearing was conducted and an order was issued in July, 1998. Subsequently, the docket was re-opened in September, 1998, and a second, two-day hearing was held in December. Post-hearing briefs were filed in January, 1999, and this proceeding is in a posture for a final determination and order.

2. A reading of T.C.A. §4-6-310 in its entirety clearly indicates that interventions are to be considered and permitted on a full or limited basis prior to a hearing. If TOGA's petition to intervene is an application to re-open this docket for the purposes of yet a third hearing, the intervention will obviously "impair the orderly and prompt conduct of the proceedings" as prohibited by T.C.A. §4-5-310(b). If TOGA does not propose a re-hearing, permitting its

intervention at this stage of the proceeding is pointless.

3. Clearly, TOGA is not entitled to intervene as a matter of right pursuant to T.C.A. §4-5-310(a) and should not be permitted to intervene pursuant to subsection (b) because it has had ample opportunity to seek intervention prior to hearing of this cause. Further, TOGA raises no new issues in its petition to intervene and relies merely upon the broad statement that it "seeks its intervention in the interest of justice and for the protection of it's members" in support of its qualification as an intervenor.

WHEREFORE, the Informal Coalition of Utility Districts pray that the Petition to Intervene filed on behalf of the Tennessee Oil and Gas Association be denied.

Respectfully submitted,

FARRIS, MATHEWS,
BRANAN & HELLEN, P.L.C.

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CERTIFICATE OF SERVICE

I, Charles B. Welch, Jr., hereby certify that I have served a copy of the foregoing document on the parties of record, by depositing a copy of same in the U.S. Mail, postage prepaid this the 11th day of February, 1999.

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